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THE DISTRICT OF COLUMBIA
BEFORE
THE OFFICE OF EMPLOYEE APPEALS

_____)	
In the Matter of:)	
)	
ALITA HUMPRIES,)	
Employee)	OEA Matter No. 1601-0100-13 ¹
)	
v.)	Date of Issuance: September 10, 2014
)	
OFFICE OF UNIFIED COMMUNICATIONS,)	MONICA DOHNJI, Esq.
Agency)	Administrative Judge
_____)	
Garrick A. Farria, Esq., Employee Representative)	
Gregory Evans, Esq., Agency Representative)	

INITIAL DECISION

INTRODUCTION AND PROCEDURAL BACKGROUND

On June 10, 2013, Alita Humphries, (“Employee”) filed a Petition for Appeal with the Office of Employee Appeals (“OEA” or “Office”) contesting the Office of Unified Communications’ (“Agency”) decision to suspend her for ten (10) days. On September 5, 2013, Agency filed its Answer, along with a Motion to Dismiss Employee’s Petition for Appeal.

This matter was assigned to the undersigned Administrative Judge (“AJ”) on February 25, 2014. On February 28, 2014, I issued an Order scheduling a Status Conference for April 29, 2014. This Status Conference was rescheduled for May 21, 2014. In an email dated May 19, 2014, the undersigned was notified that the parties had agreed to continue the scheduled Status Conference for a later date because the parties were engaged in settlement talks. On August 19, 2014, Employee submitted a signed copy of the settlement agreement, along with a Motion for Withdrawal of Appeal via email. Employee stated in her email to this Office that the matter had been settled. The record is now closed.

JURISDICTION

The Office has jurisdiction in this matter pursuant to D.C. Official Code § 1-606.03 (2001).

¹ The OEA Matter No. was changed from J-0100-13 to 1601-0100-13. Employee is also known as ‘Alita Darby’.

ISSUE

Whether this appeal should be dismissed.

ANALYSIS AND CONCLUSION

D.C. Official Code §1-606.06(b) (2001) states in pertinent part that:

If the parties agree to a settlement without a decision on the merits of the case, a settlement agreement, prepared and signed by all parties, shall constitute the final and binding resolution of the appeal, and the [Administrative Judge] shall dismiss the appeal with prejudice.

In the instant matter, since the parties have agreed and executed a settlement agreement, and Employee has voluntarily withdrawn her Petition for Appeal, I find that Employee's Petition for Appeal is dismissed.

ORDER

It is hereby **ORDERED** that the Petition for Appeal in this matter is **DISMISSED**.

FOR THE OFFICE:

MONICA DOHNJI, Esq.
Administrative Judge